

**REMARKS**

This Amendment is submitted in response to the Office Action dated December 2, 2005, having a shortened statutory period set to expire March 2, 2006. A proposed amendment is submitted herein for Claim 1 (incorporating the features of dependent Claim 9). Claims 1, 3-8, 10-15 and 17-18 are currently pending.

Applicants note that in a teleconference with the Examiner on February 23, 2006. No formal agreement was reached during this teleconference.

**REJECTIONS UNDER 35 U.S.C. § 103**

In Paragraph 3 of the present Office Action, Claims 1, 4-10, 13-15, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Morgan et al. (U.S. Patent No. 5,799,286 – “*Morgan*”) in view of Reed et al. (U.S. Patent No. 6,088,717 – “*Reed*”) and further in view of Kaufer et al. (U.S. Patent No. 6,519,763 – “*Kaufer*”). In paragraph 4 of the present Office Action, Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Morgan* in view of *Reed* and *Kaufer*, and further in view of Minkiewicz et al. (U.S. Patent No. 6,073,107 – “*Minkiewicz*”). In paragraph 9 of the present Office Action, Claims 11-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Morgan* in view of *Reed*, and further in view of Summerlin et al. (U.S. Patent No. 6,555,365 B1 – “*Summerlin*”). Applicants respectfully traverse all of these rejections in light of the present amendment.

*Morgan* teaches an activity-based management system that associates costs associated with different enterprise sub-entities. *Kaufer* teaches a time management software system. *Reed* teaches computer communication between a provider and a consumer. *Minkiewicz* teaches a system for forecasting how long it will take to develop new object oriented program (OOP) software. *Summerlin* teaches a method for automatically classifying electronic documents for filing.

Applicants do not believe that *Morgan* and *Reed* and *Kaufer* teach or suggest all of the claimed features of the present invention. For example, with reference to exemplary Claim 1, the cited prior art does not teach or suggest a daily headlights reporting process that includes the steps of "generating headlight reports having headlights data; consolidating at a first predetermined frequency the headlights reports into a single executive report to be distributed to an executive distribution list; recording issue items in an issue memory area based on data of the executive report; and generating at a second predetermined frequency a headlight summary based on the executive reports," as previously recited in dependent Claim 9.

With reference to Claim 11, the cited prior art does not teach or suggest "classifying a document and assigning a document review workflow to the document according to whether an originator of the document is a member of the organization." *Morgan* is cited at Col. 5, lines 28-31 for teaching "activity names or codes are collected in a master activity dictionary (classifying a document), which functions as a glossary of activities for all sites..." and at Col. 5, line 64 - Col. 6, line 5 for teaching "people mapping" that includes "management organization." *Summerlin* is cited for the teaching (col. 1, lines 8-11) that records can be classified as "evidence of the conduct of business processes." Thus, the Examiner appears to take the position that since records can be classified, and since people can be classified, then records can be classified according to the person who wrote it. Applicants dispute that the prior art suggests such a combination without the teachings of the present specification, which is not available as a "template" under *In re Fritch*, 23 USPQ2d 1780 (Fed. Cir. 1984). Furthermore, neither cited prior art teaches or suggests "assigning a document review workflow to the document according to whether the originator of the document is a member of the organization." That is, the cited art makes no reference or suggestion at all of "assigning a document review workflow" in any form or with any guidelines, and particularly without reference to the originator of the document being a member of a specific organization.

With reference to Claim 18, the cited prior art does not teach or suggest "determining a cause of a defect...by determining if one or more events occurred, the one or more events being from a group of events that includes a miscommunication between members of a software development team, a software transcription error, and inadequate training of the members of the

software development team. (See Page 86 of the present Specification.) The Examiner states that *Morgan* teaches these features by citing *Morgan's* teaching of "technical assistance (to provide for **inadequate training**), problem resolution (**miscommunication** between members of a software development team, a **software transcription error**, and **inadequate training** of the members of the software development team)" (emphasis in original of the present office action). It is error for the Examiner to interpret the term "problem resolution" to include the specifically described and claimed features (miscommunication between members of a software development team, a software transcription error, and inadequate training of the members of the software development team). That is, it is axiomatic that every element must be taught or suggested in an obviousness rejection. The term "problem resolution" does not teach or suggest the elements "miscommunication between members of a software development team, a software transcription error, and inadequate training of the members of the software development team" without reference to the teaching and claims of the present invention. There is no suggestion in the cited art of all of the elements in rejected Claim 18. To suggest that a term such as "problem resolution" of *Morgan's* general business operations covers all of these specifically claimed programming problems is contrary to Section 706.02(j) of the MPEP.

**CONCLUSION**

As the cited prior art does not teach or suggest all of the elements of the presently pending claims, Applicants respectfully request that all pending rejections be withdrawn, and a Notice of Allowance be issued.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 09-0457**.

Respectfully submitted,



James E. Boice  
*Registration No. 44,545*  
DILLON & YUDELL LLP  
8911 North Capital of Texas Highway  
Suite 2110  
Austin, Texas 78759  
512.343.6116

ATTORNEY FOR APPLICANT(S)